

PATENT  
034827-0302

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Richard W. Tseng & Michael K. Samoszuk

Serial No.: 09/747,165

Title: BCR-ABL GENE  
REARRANGEMENT ASSAY  
METHOD

Filing Date: December 22, 2000

Examiner: Jeffrey Norman Fredman

Group Art Unit: 1637

TRANSMITTAL

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing in the above application is a Supplemental Response to Office Action mailed on November 7, 2002.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872.

Date: November 12, 2002

FOLEY & LARDNER  
Customer Number: 30542



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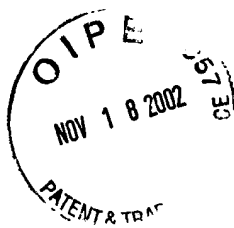
Respectfully submitted,

By *Michael A. Whittaker*

Michael A. Whittaker  
Attorney for Applicant  
Registration No. 46,230

SAFR

# 17158  
AF/1637  
PATENT  
034827-0302



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RESPONSE UNDER 37 C.F.R. § 1.116  
EXPEDITED PROCEDURE EXAMINING GROUP 1637

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SUPPLEMENTAL RESPONSE TO OFFICE ACTION

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Commissioner for Patents  
Washington, DC 20231  
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Sir:

Applicants' submission mailed on November 7, 2002 made reference to several publications in response to the Examiner's rejection of claims currently pending in the instant application. Copies of these publications were inadvertently not included with Applicants' submission. Applicants provide herewith copies of the referenced publications:

*Overview of LightCycler Quantification Methods*, Roche Molecular Biosystems  
Technical Note No. LC 10/2000;

He *et al.*, *BioTechniques* 17: 82-87 (1994);

Robertson and Walsh-Weller, *Meth. Mol. Biol.* 98: 121-26 (1998); and

Kämpke *et al.*, *Bioinformatics* 17: 214-25 (2001).

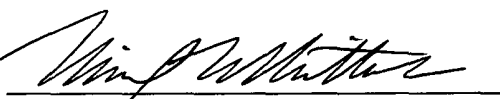
Applicants note that documents submitted when replying to an issue of patentability need not be provided in an Information Disclosure Statement. *See, e.g.*, MPEP §609(C)(3).

Applicants respectfully submit that the pending claims are in condition for allowance. An early notice to that effect is earnestly solicited. Should any matters remain outstanding, the Examiner is encouraged to contact the undersigned at the address and telephone number listed below so that they may be resolved without the need for additional action and response thereto.

Respectfully submitted,

Date: November 12, 2002

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